

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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*IN RE TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001*

Case No. 03 MDL 1570 (RCC)

(SAMI OMAR AL-HUSSAYEN, defendant)

MOTION FOR LEAVE TO WITHDRAW  
DEAN ARNOLD AND MARSHALL  
MINTZ AS COUNSEL

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This document relates to:

*Thomas Burnett, et al v. Al Baraka Investment and Dev. Corp, et al.*, Case No. 03 CV 9849 (RCC)  
*Euro Brokers, Inc., et al v. Al Baraka Investment and Dev. Corp., et al.*, Case No. 04 CV 7279 (RCC)  
*Federal Insurance Company, et al v. Al Qaida, et al.*, Case No. 03 CV 6978 (RCC)  
*New York Marine and General Insurance Company, et al v. Al Qaida, et al.*, Case No. 04 CV 6105 (RCC)  
*World Trade Center Properties LLC, et al v. Al Baraka Investment and Dev. Corp.*, 04 CV 7280 (RCC)

COMES NOW Nevin, Benjamin & McKay LLP, attorneys for Defendant Sami Omar Al-Hussayen, and pursuant to Local Civil Rule 1.4, respectfully moves this Court to enter an Order granting attorneys Dean Arnold and Marshall Mintz leave to withdraw as counsel in the above-captioned cases. This motion is made because Mr. Arnold is no longer employed as an associate of Nevin Benjamin & McKay LLP, and Mr. Mintz is no longer employed as an associate for our local counsel, Joshua L. Dratel, PC. Other attorneys from Nevin, Benjamin & McKay LLP have been admitted *pro hac vice* in the above cases and Mr. Dratel has entered an appearance as counsel for Mr. Al-Hussayen and all will continue to represent Mr. Al-Hussayen in the above remaining cases.<sup>1</sup> The withdrawal of Messrs. Arnold and Mintz will not effect or otherwise delay these proceedings.

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<sup>1</sup> After filing motions to dismiss in the above five cases naming him as a defendant, Mr. Al-Hussayen was voluntarily dismissed from the *Euro Brokers* lawsuit (*see* MDL Docket No. 922 – Notice of Voluntary Dismissal filed by plaintiffs) and the *NY MAGIC* lawsuit (*see* MDL Docket No. 1118 – Stipulation for Dismissal With Prejudice of Defendant Sami Omar Al-Hussayen and Order). His motions to dismiss in the three remaining lawsuits are pending.

DATED this 4<sup>th</sup> day of November, 2005.

Respectfully submitted,

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/s/ \_\_\_\_\_  
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*Attorneys for Defendant Sami Omar Al-Hussayen*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 4<sup>th</sup> day of November, 2005, I caused the foregoing Motion for Leave to Withdraw Dean Arnold and Marshall Mintz as Counsel to be served electronically pursuant to the Court's ECF system on all counsel of record.

\_\_\_\_\_/s/\_\_\_\_\_  
Scott McKay